

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

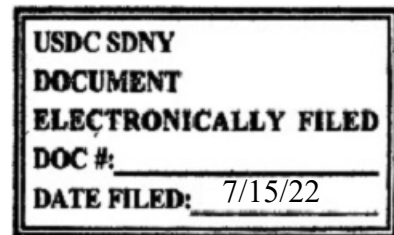
N.J. and G.J.,

Plaintiffs,

-against-

NYC DEPARTMENT OF EDUCATION, et
al.,

Defendants.



18-CV-6173 (JMF) (BCM)

**POST-SETTLEMENT CONFERENCE
ORDER**

BARBARA MOSES, United States Magistrate Judge.

The parties to this single-plaintiff IDEA action have now participated in two judicially supervised settlement conferences, the first (rescheduled once, at the parties' request) on February 28, 2022, and the second (rescheduled three times, at the parties' request) on July 14, 2022. (*See* Dkt. Nos. 108, 112, 116, 123, 127, 131, 137.) While they have made some progress towards a settlement package, the pace has been glacial, and substantial gaps between the parties' positions remain. Meantime, the district judge has repeatedly extended a litigation stay, designed to "allow the parties to explore settlement," that has now been in place for fifteen months. (*See* Dkt. Nos. 91, 94, 106, 114, 125, 129, 133.)

The last concrete settlement proposal was made, towards the end of the July 14 conference, by plaintiff. For the reasons discussed during the conference, defendants shall consider plaintiffs' last settlement proposal seriously and respond promptly in good faith. If the response is a fresh counter-proposal, it shall be concrete and address each of the issues under negotiation. The parties are of course encouraged to engage in additional rounds of negotiations so as to reach an agreement on all material terms of a settlement. If the parties believe that a *brief* further telephone conference with the undersigned magistrate judge during this process would materially advance the negotiations, they may telephone chambers to inquire about scheduling.

On or before **August 8, 2022**, the parties shall file a joint letter on the docket of this action advising the Court whether or not they have reached a settlement agreement in principle. If they have not, the undersigned magistrate judge will recommend, respectfully, that the stay be allowed to expire and the parties be put to their proof.

Dated: New York, New York
July 15, 2022

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge